



Wednesday, January 31, 2007

House Natural Resources Committee
RE: Testimony in Opposition to HB 291

Chairman McNutt and members of the committee,

My name is Jim Carlson. I am director of Environmental Health at the Missoula City-County Health Department. The Missoula City-County Health Department does not support HB 291. The bill in its current form exempts *any* activity on agricultural land from *all* portions of the Clean Air Act, with the exception of federally mandated permitting activities for point sources.

Missoula has long had issues with air quality because of its valley topography and strong winter time inversions. We regulate industry, outdoor burning, woodstove use, transportation and other sources in an effort to keep Missoula's air clean.

As one of many counties with a local air program, Missoula County has an obligation to protect air quality and to ensure the area meets national and state ambient air quality standards. The proposed legislation would jeopardize our ability to do that.

1. The way the bill is currently written it would apply to more activities than those carried out by farmers in their fields, which are already exempt under state and local rules.
2. The proposed legislation would make it impossible to regulate outdoor burning on agricultural lands where grazing, crop growing, sod farming and truck farming occurs. Currently agricultural burning is limited in the winter months in western Montana. If agricultural lands were allowed to burn in the winter, we could easily violate national and state ambient air quality standards, as pollutants get trapped under strong wintertime inversions.
3. Timber management or silvaculture,, is a type of agriculture. This legislation could be interpreted to exempt slash burning from regulation. If so, it would be entirely impossible to comply with air quality standards in western Montana.

It is not appropriate to exempt an entire segment of our air pollution sources from regulation. Furthermore, passage of this bill could make it impossible for many counties to achieve compliance with mandated Federal air quality standards. For these reasons we urge you to vote no on HB 291.

Respectfully submitted,

Jim Carlson
Director of Environmental Health